

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

FRIDAY, 22 FEBRUARY 1884

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LEGISLATIVE ASSEMBLY.*Friday, 22 February, 1884.*

Railway Extension to the Border.—Motion for Adjournment.—Chinese Immigrants Regulation Act of 1877 Amendment Bill—third reading.—Adjournment.

The SPEAKER took the chair at half-past 10 o'clock.

**RAILWAY EXTENSION TO THE
BORDER.**

The MINISTER FOR WORKS (Hon. W. Miles) laid upon the table, plans, sections, and book of reference of proposed extension of the Southern and Western Railway from Stanthorpe to the Border.

MOTION FOR ADJOURNMENT.

Mr. MACROSSAN said he would conclude what he had to say by moving the adjournment of the House. He wished to say a few words in reference to what fell from the hon. gentleman at the head of the Government, last night, in relation to several gentlemen whom he had omitted from the Commission of the Peace. He might say it was a very unusual thing, and it had never been done in that House before, to his knowledge, for a Minister to give reasons why each particular individual struck off the Commission of the Peace was struck off. For his own part, when he asked the hon. gentleman for reasons, it was not as regarded each individual, but because a certain section of the population of the colony had been seemingly singled out for omission more than any other section. That was what he asked the hon. gentleman to explain, and what he refused to explain. He took a high and lofty position, and said he did not care if there were 99 per cent. of one section on and 99 per cent. of another off. Personally he did not think the hon. member did care, but he was surrounded by men and supported by men who did care, and it was because of those men that he had acted in the way he had done. It was not sufficient for him to say he did not care; neither was it a sufficient excuse for him to say the matter was of no importance. It was a matter of great importance, and the hon. member should not shield himself in that way from what he (Mr. Macrossan) called the irresistible logic of facts. The irresistible logic of facts and figures, as taken from the list, showed, as he said before, that 29 per cent. of a certain section were left off, and only 4½ per cent. on the original list of that section were on. That was what he wanted the hon. gentleman to explain. Another fact that helped to strengthen that fact was, that in the district represented by the Attorney-General—that of Kennedy—the places of those men were filled by creatures of his own, and all belonging to a certain pernicious association, of which that gentleman was a very prominent member.

The PREMIER: No.

Mr. MACROSSAN said that was another fact which strengthened the statement he had made. He had risen more particularly to call attention to the manner in which the individuals mentioned had been, to some extent, slandered, and he wished to defend those gentlemen in such a way that most reasonable people would come to the conclusion that the hon. gentleman had not been informed of the whole truth. The first gentleman he mentioned was Mr. Pole. The Premier said he did not know Mr. Pole. He did not suppose he did; but somebody else did, and that somebody else did not like him. He said:—

"He would not go any further, as he did not wish to injure Mr. Pole in any way; but he (Mr. Pole) was himself fully aware of the circumstances."

"Mr. MACROSSAN: I am not aware of them."

Then the Premier went on to say that Mr. Pole had been guilty of something on the bench, without even stating what it was, and leaving it to be inferred what that something was; at the same time saying that he did not wish to enter into it, but Mr. Pole was aware of it. After the discussion that took place in the House when Mr. Pole's name was brought up by the hon. member for Balonne, he made it his business to see Mr. Pole. He had not seen him for some months previously, and in conversation with him he asked if he knew the reason why he was knocked off the Commission of the Peace. He said, no; but that some of his friends had told him that it was in consequence of a placard which he printed for the committee of the hon. member for Balonne when he was contesting the Fortitude Valley electorate. He asked what

the placard was, and Mr. Pole told him. He (Mr. Macrossan) would not repeat what the placard actually was, but it was in connection with the domestic affairs of the hon. member for Fortitude Valley, Mr. Beattie. He told him he ought not to have printed it; but he said it was done by him merely as a printer, and by order of the committee. That was the only reason that Mr. Pole knew why he had been struck off the Commission of the Peace. If there was any other reason, the hon. member knew what it was. If there was any other reason which did not affect Mr. Pole's moral character, the hon. gentleman should have mentioned it instead of leaving any reason at all to be inferred.

The PREMIER: I did.

Mr. MACROSSAN: As he said, the hon. gentleman left the reason to be inferred. He said that Mr. Pole had adjudicated, in his position as a magistrate, in a case in which he was interested, or he was assumed to be interested. Some people might think the gentleman had been adjudicating in a case in which he was pecuniarily interested.

The PREMIER: I said expressly I did not mean that, although it may not have been reported.

Mr. MACROSSAN: Another name was mentioned, but the hon. gentleman took no notice of it—Mr. Gillies'. He was a gentleman he had never seen, but he had been told that he belonged to the same set as Mr. Pole. Mr. Kelly's name was then mentioned, and his offence was something in connection with the running of a special train during his (Mr. Macrossan's) candidature at Charters Towers. He had yet to learn that it was an offence for voters to be carried in trains, any more than for them to be carried in cabs or omnibuses. That train was paid for, and it was not run at the expense of the State. The voters in that train he explained about before. The majority of them were men, so far as he was aware, on the electoral roll for Herberton, and he believed some of them had votes in consequence of having been working on the line under the range. The hon. gentleman, he had no doubt, had often carried voters in cabs; and if it was not an offence in the one case, surely it was not in the other. There was nothing against running trains for electioneering purposes in the Act; and until it was made an offence by law the hon. gentleman had no right to punish anyone for doing so. Mr. Kelly's punishment was for his support of him (Mr. Macrossan); and every person in Charters Towers who thought over the matter, and knew the Attorney-General, gave him the credit of having had Mr. Kelly and Mr. Cusack struck off the roll. Why Mr. Cusack was struck off he could not say, because he took no part whatever in politics or the elections. What he had mentioned, however, was all the offence that Mr. Kelly had been guilty of; and if it had been known what was the real reason for striking that gentleman off the roll, he knew of seven or eight gentlemen in Charters Towers who would have sent in their resignations as a protest against the action of the Government in striking off the roll one of the most useful J.P.'s they had on the Towers. Mr. Cusack was omitted because he was a subordinate in the Civil Service. He had gone over about three pages of the Commission of the Peace, and found seven or eight subordinates on the Commission of the Peace, and why should Mr. Cusack be singled out? The Clerk of Petty Sessions at Townsville was on the Commission of the Peace.

The PREMIER: He is acting as police magistrate.

Mr. MACROSSAN said Mr. Cusack could act as police magistrate if he was called upon

to do so, as he was perfectly capable. He was one of the most intelligent of the clerks of petty sessions in the Service. When he was appointed clerk of petty sessions he wrote to him (Mr. Macrossan) asking him whether he should resign from the Commission of the Peace. At that time he (Mr. Macrossan) was Minister for Works, and he replied, "No; you should not resign, because Mr. Pears will frequently be absent from Ravenswood, doing his duty as warden, and you, being on the Commission of the Peace, may be able to make yourself useful." That was why he did not send in his resignation. He now came to the case of Mr. Carroll, of Townsville, against whom the Premier made a very extraordinary charge. The hon. gentleman said:—

"That man was once a sub-inspector of native police, and his practice was, when he left the police camp, to take a woman who was there and chain her by the legs, sometimes for two months together; he also shot one trooper and flogged another to death."

There was just sufficient truth in that to make it pass. He would explain the circumstances—the hon. gentleman knew them, and he had proof with him that he knew them well. The hon. gentleman told him across the table last night that he had given him the reason privately why Mr. Carroll was struck off. He (Mr. Macrossan) remembered what passed between them outside the House. They were talking in a general way about the men being struck off the roll, and he asked the Premier what reason he had for striking off Mr. Carroll's name; and the hon. gentleman answered him by asking, "Are you aware of the records of the Police Department?" He (Mr. Macrossan) replied that he was well aware of those records, but took no notice of them. That was the only reason the hon. gentleman gave him privately. The Premier also told him at the same time that Mr. Carroll had been in the habit of communicating with him before he became the head of the Government, and gave him an indication of the tenor of that correspondence. He (Mr. Macrossan) happened to write the following day to Mr. Carroll, and he asked him if he had been in the habit of corresponding with Mr. Griffith, and he had received Mr. Carroll's reply by that morning's mail. But, before coming to that, he would remind hon. members that at the time Mr. Carroll was dismissed from the native police, session after session, when the native police vote came up for discussion, a raid was made against that body by some half-dozen members from purely humanitarian and sentimental motives. Mr. Carroll was more or less the victim of that constant excitement. The facts of Mr. Carroll's case were these: He was a sub-inspector of native police, and like every other sub-inspector with an encampment, he had a white policeman as camp-keeper. In the course of his duty he did something to offend the camp-keeper, and the latter trumped up a charge against him long after it was said to have happened, and was assisted in doing so to a certain extent by Mr. Armstrong, the inspector of police in the district. It was true that Mr. Carroll did tie a native woman by the legs, but not for months.

The PREMIER: For one month.

Mr. MACROSSAN said it was also true that Mr. Carroll shot a black trooper; but scores of black troopers had been shot in the same way. He was not certain whether the woman was the gin of that trooper or not; but the woman made an attempt to poison Mr. Carroll and the whole camp by putting strychnine into the milk she had taken from the cow that morning. Mr. Carroll discovered it, and he was keeping her a prisoner until he was able to send her to be tried.

The PREMIER: Oh, no!—that won't do. It was on a different occasion altogether.

Mr. MACROSSAN said the black trooper was involved in it, and was also made a prisoner, but he managed to escape during the night. Mr. Carroll followed him, and overtook him ten or twelve miles away from the camp. Partly in defence of his life—because the black-fellow turned on him—and partly because he should not escape to join the wild blacks, he shot him. The whole of the case was gone into at the time when the hon. gentleman was Attorney-General in 1876. There was no proper inquiry made, but the inquiry was of such a nature—Mr. Carroll's case was taken by a gentleman who was not now a member of that House; and so convinced was the head of the Government and Mr. Douglas—who he thought was not the head of the Government at that time, but was Minister for Lands—that Mr. Carroll's explanation was a correct one, that they offered to re-employ him. He refused, however, to be employed unless he was fully exonerated from the charge made against him, and he had not been in the Service since. He went to Townsville, and settled down there at his trade as a watchmaker. The estimation in which Mr. Carroll was held by the people of Townsville was proved the other day. Amongst twenty-four candidates to be selected for the hospital committee there—and he thought most hon. members would admit that the people who elected hospital committees were generally of a respectable class—doctors, lawyers, storekeepers, and people of property living in the town—out of twenty-four candidates Mr. Carroll stood second on the list. The newspaper also in that place, which supported the Government strongly—in fact, no paper gave them a stronger support—stated that during the short time Mr. Carroll had been a justice of the peace no one had done his duty better than he had. Further than that, he would ask hon. members to compare Mr. Carroll's candidature for the hospital committee with the candidature of a gentleman named by the Attorney-General as one of the new justices at Charters Towers. His name was Miles, a namesake of the present Minister for Works. He stood for alderman, and what position did he occupy when the poll was declared? He was at the bottom of the list; he did not get in at all. The same thing happened in Ravenswood to a nominee of the Attorney-General's. Men of property and men of respectability in those two places—Charters Towers and Ravenswood—had protested by their actions against the conduct of the Ministry. Now he would read Mr. Carroll's reply to his request. He had simply asked Mr. Carroll if he had corresponded with Mr. Griffith—he did not ask him the tenor of the correspondence. The letter would explain a great deal which he thought the hon. gentleman must have forgotten last night:—

"Townsville, February 18, 1881.

"DEAR MR. MACROSSAN,—I received your kind letter, also your *Hansards*, for which I beg to thank you. As to my friendship with Griffith: When I returned to Brisbane after my native police trouble I saw by the *Courier* that Griffith, who was then Attorney-General in the Thom Ministry, had, in reply to Thompson in the House, defended me, saying there was no committal, and the reports about me were unfounded. There was no daily *Hansard* then. I called on Griffith to thank him. He said, 'Those recognisances I sent you were not worth the paper they were written on.' His opinion was never asked by the Government in the matter; if it should be asked he would explain as he did to me; but unasked he could not interfere in another department. When writing against Armstrong I sent him copies, same as I did to all other members of the House. When he was in Townsville after I called and thanked him for his action in the matter. After the opening of the next session I wrote him, enclosing that letter, 'Sir Arthur and his pet,' and enclose herewith his reply."

That was Sir Arthur Palmer, Armstrong being supposed to be a particular pet of that gentleman.

"Griffith was the only one of his party I had a kind feeling for, and I am surprised at his action towards me now, even at the instigation of Rutledge."

The ATTORNEY-GENERAL: It is absurd; I never saw Mr. Carroll.

Mr. MACROSSAN: It may be absurd—it may not be true—but it is more than a rumour on Charters Towers, Ravenswood, and Townsville.

The ATTORNEY-GENERAL: I am not responsible for that.

Mr. MACROSSAN: I am reading the letter as I find it.

"If I remember correctly, before John Dean's election you had a good opinion of Griffith's honour; but, probably like me, you have since learned sufficient to change that opinion."

That letter distinctly disproved what the hon. gentleman stated last night. Those things were on the police court records, but they were not true, and the hon. gentleman did not believe they were true. He actually left Mr. Carroll off the Commission of the Peace, and at the same time put on men who had been convicted of crime. Had the hon. gentleman taken steps to verify the statement he (Mr. Macrossan) made about the gentleman who was said to have been at Mauritius when he was in Western Australia? He presumed he had not, or he would have given a reply. He had taken the opportunity of defending the men of whom he had spoken from the aspersions cast on them by the hon. gentleman at the head of the Government, who must have been got at by people more malicious, possibly, than himself. Those people were actuated by very different feelings—because he gave the hon. gentleman credit for not being influenced by sectarian feeling, animosity, or jealousy. At the same time, if those feelings had not actuated those who were prominent in placing the hon. gentleman in office, there would not have been the same striking-off and the same putting-on in connection with the Commission of the Peace which was published in January last.

Mr. NORTON said he had something to say in reply to what fell from the Premier last night with regard to Mr. Skyring, but instead of detaining the House now he would reserve till Tuesday next what he had to say.

The PREMIER said it was not only generally recognised that it was inconvenient, but it was expressly forbidden by the Standing Orders and the practice of the House, to refer to a previous debate—to have, in fact, a debate over again on the same subject. He did not call attention to the violation of the Standing Order at the time, because he was willing to hear what the hon. member had to say. It was extremely inconvenient when a matter had been discussed to propose to reopen the debate. If that sort of thing were done there would be no finality in debate.

Mr. NORTON: I am determined to say what I have to say.

The PREMIER said no doubt nothing would stop the interminable garrulity of the hon. member for Port Curtis. The hon. member for Townsville referred to some matters with respect to the Commission of the Peace. He (Mr. Griffith) had given an explanation upon that matter yesterday. That morning the hon. member had again mentioned some of the names previously referred to, and, amongst others, Mr. Pole. He had explained that matter, but the hon. member now said he did not want reasons as to why individuals were left off the Commission of the Peace. He could only judge of what the hon. member wanted by what he asked, and by what other hon. members opposite asked, and the pressing request made

was to know why those individuals were left off. He had protested against the inconvenience of doing such a thing in the House, but had yielded to the hon. member's importunities and given the reasons; and now the hon. member came forward and found fault with him for doing what he asked. The hon. member was certainly a little inconsistent. The hon. member now asked why a particular section of the population was left off the Commission: but that was not done, and therefore he could give no reason for its being done. He could assure the hon. gentleman that every case was particularly considered, and the Government did not strike a balance. Surely no section of the community wished to be represented on the Commission of the Peace by incompetent or disreputable men. With respect to the case of Mr. Kelly, there was no objection, as the hon. member had truly said, to voters being conveyed in a train, but there was a very great objection to voters voting twice or oftener in gangs. The hon. gentleman knew very well what he alluded to.

Mr. MACROSSAN: I know your insinuation.

The PREMIER said he had been told how the thing was managed, and he believed it. They had been boasting about it ever since. There was no objection whatever to voters being conveyed in a train, but he had a decided objection to voters being conveyed either in a train or in buggies, in order that they might vote early and vote often. He had an objection to that. It might be a peculiarity of his, but whenever he found a magistrate conniving at that sort of thing he would, if he could, leave him off the Commission.

Mr. MACROSSAN: Why did not you call for an explanation?

The PREMIER said the hon. member also referred to Mr. Cusack, but he had already given the reason for that gentleman's omission. He had been asked to appoint a gentleman in the neighbouring town of Charters Towers, but he was not placed on the Commission of the Peace for the same reasons.

Mr. MACROSSAN: Mr. Archibald did not wish to be appointed.

The PREMIER said he had been pressed in the strongest manner to appoint Mr. Archibald, but he found the two cases were the same, and he did not accede to the request. With respect to Carroll, the evidence in his case was sworn evidence upon it. The case of chaining the woman was, that he habitually left her with her ankles chained together. Mr. Carroll was summarily dismissed from the police, and he only wondered why he was not prosecuted.

Mr. MACROSSAN: You were Attorney-General.

The PREMIER said that still he wondered why he was not prosecuted. No explanation of that gentleman's case was possible.

Mr. MACROSSAN: Have you seen this letter?

The PREMIER said he knew he had written to him; but could not remember a particular letter.

Mr. MACROSSAN: 21st August.

The PREMIER: I do not keep a letter-book.

Mr. MOREHEAD: Then I advise you to do so in future.

The PREMIER said that if the hon. member for Townsville had told him when they met outside the House that he was catechising him for the purpose of writing to Mr. Carroll to see whether that gentleman's recollections agreed with his, he should have tried to remember a little more accurately. If he recollected rightly, Mr. Carroll abused the hon. member in some of his letters.

Mr. MACROSSAN: The Premier said that Mr. Carroll was in the habit of abusing him (Mr. Macrossan) in his letters. He did not think Mr. Carroll was a friend of his, and he did not ask the Premier if he abused him. He simply asked if he had written.

The PREMIER said that, so far as he could remember, Mr. Carroll's letters were in abuse of the then Government, and he had written to him (Mr. Griffith)—as hundreds of people did, when he was in opposition—complaining of various acts of the Government. He could only say that the facts in the case of Mr. Carroll were too glaring; they had never been disproved. He did not think that any explanation could justify Mr. Carroll in flogging a man to death or treating women with barbarity. As a general rule the Government did not care to give reasons why men had been struck off the roll, but he had stated why he did so in those cases.

Question put and negatived.

CHINESE IMMIGRANTS REGULATION
ACT OF 1877 AMENDMENT BILL—
THIRD READING.

On the motion of the PREMIER, the Bill was read a third time, passed, and ordered to be transmitted to the Legislative Council by message in the usual form.

ADJOURNMENT.

In moving the adjournment of the House, the PREMIER said that Supply would stand first on the business-paper for Tuesday; but before the House proceeded to business he should make a statement in respect to the business to be transacted.

The House adjourned at eight minutes past 11 o'clock.